

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

Chapter 13

Richard Tobing,

Case No. 18-45087-cec

Debtor(s).

ORDER TO SHOW CAUSE

WHEREAS, on September 5, 2018, Richard Tobing (the “Debtor”) filed a voluntary petition for relief under chapter 13 of the Bankruptcy Code (the “Chapter 13 case”); and

WHEREAS, the Debtor is represented by Pasquale Calcagno, Calcagno & Associates (“Debtor’s Counsel”), in the Chapter 13 case; and

WHEREAS, on October 29, 2018, the Chapter 13 Trustee filed a motion seeking to dismiss the Chapter 13 case, sanction Debtor’s Counsel, including the disgorgement of legal fees, for misconduct under Rule 9011 (the “Motion”) (Chapter 13 case, ECF Doc. No. 16); and

WHEREAS, on November 1, 2018, the Debtor, pro se, filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code, Case No. 18-46387-cec (the “Chapter 11 case”); and

WHEREAS, on November 15, 2018, a hearing on the Motion was held, at which there was no appearance by the Debtor or Debtor’s Counsel; and

WHEREAS, the Initial Case Management Conference in the Chapter 11 case is scheduled for December 20, 2018 at 3:00 p.m.; and

NOW, THEREFORE, it is hereby

ORDERED, that Debtor’s Counsel shall appear on **December 20, 2018, at 3:00 p.m.**, in Courtroom 3529 at the United States Bankruptcy Court for the Eastern District of New York,

271-C Cadman Plaza East, Brooklyn, NY 11201, and show cause why the Debtor's Counsel should not be sanctioned pursuant to 11 U.S.C. § 105(a) and Bankruptcy Rules 2017 and 9011 for failure to provide adequate representation to the Debtor; and it is further

ORDERED, that the Debtor shall appear at the Initial Case Management Conference in the Chapter 11 case on **December 20, 2018**, at **3:00 p.m.**, in Courtroom 3529 at the United States Bankruptcy Court for the Eastern District of New York, 271-C Cadman Plaza East, Brooklyn, NY 11201; and it is further

ORDERED, that failure to comply with this order shall be additional grounds for sanctions.

**Dated: Brooklyn, New York
November 19, 2018**



Carla E. Craig

Carla E. Craig
United States Bankruptcy Judge